
FACT SHEET

**DRAFT HAZARDOUS WASTE MANAGEMENT PERMIT FOR
CONTAINER STORAGE OF
HAZARDOUS WASTES**

December 15, 2021

<u>Facility Name</u>	Norfolk Naval Shipyard
<u>EPA Facility ID Number</u>	VA1170024813
<u>Owner/Operator</u>	Department of Defense
<u>Address of Facility</u>	Code 106, Building M-22, 3 rd Floor Portsmouth, Virginia 23709-1035
<u>Type of Permit</u>	Hazardous Waste Management Permit for Hazardous Waste Management Units (HWMU), which consists of two container storage areas (Buildings 506 and 280).

Purpose of Fact Sheet

This fact sheet is prepared in accordance with the requirements of the Virginia Hazardous Waste Management Regulations (VHWMR), 9 VAC 20-60-124, as incorporated by reference under 40 CFR § 124.8. This fact sheet provides information on the current status of the facility, the facility background, the facility's current hazardous waste management activities, and the public comment period associated with the Draft Permit for the Storage of Hazardous Waste (Permit) for renewal.

Introduction - Facility Background - Draft Permit

Norfolk Naval Shipyard (NNSY) is located in the City of Portsmouth, VA, adjacent to the western bank of the Southern Branch of the Elizabeth River. NNSY occupies approximately 481 acres, including dry-docks and industrial repair piers. The area immediately adjacent to NNSY on the north and south is characterized as industrial land use. Across the river to the east are petroleum storage terminals and other industrial operations.

The facility's initial Hazardous Waste Management Permit for the Storage of Hazardous Waste was issued by the DEQ with an effective date of April 22, 1998, for a 10-year period until April 22, 2008, under the Virginia Hazardous Waste Management Regulations (VHWMR). The above Permit was administratively continued until the Permit was reissued by the DEQ.

The facility's current Hazardous Waste Management Permit was reissued by the DEQ on August 25, 2008 and effective on August 28, 2008, and was valid for a 10-year period until August 28, 2018. NNSY submitted a RCRA Permit renewal application on February 9, 2018. A revised Permit application was submitted on June 18, 2018. DEQ has reviewed the RCRA permit application and revisions, and found it to be complete and technically adequate on June 18, 2018.

Type of Waste

This permit is being reissued for a Resource Conservation and Recovery Act (RCRA) hazardous waste container storage permit for one existing hazardous waste container storage unit (Building 506) and one existing mixed waste container storage unit (Building 280). Wastes stored in the Buildings are generated by NNSY and offsite operations which are detailed in the draft Permit.

The hazardous wastes generated at NNSY include solvents; corrosives; laboratory wastes; spent batteries (some reactive); paint wastes; wastes from electroplating operations; grease, lubricants, and lube oil wastes; cylinders; and various mixed wastes.

Purpose of the Permitting Process

One of the purposes of the permitting process is to afford the DEQ, interested citizens, and other governmental agencies the opportunity to evaluate the proposed draft permit and the ability of the Permittee to comply with the applicable hazardous waste management requirements of the Permit and the VHWMR. The draft permit sets forth in one document all the requirements which the Permittee must comply with during the ten (10) year duration of the permit. These requirements include, but are not limited to, the regulations as set forth in the VHWMR.

Draft Permit

The DEQ has reviewed the permit application, and has found the Part A and B permit application submittals to be technically adequate and complete to comply with the requirements of the VHWMR. Therefore, pursuant to the VHWMR, under 9 VAC 20-60-124, and as adopted by reference, 40 CFR § 124.6, the DEQ has prepared a draft permit for renewal.

The draft permit is divided into four main parts, Modules I, II, III and IV and a list of eight permit attachments. Attachments II.A through III.A are incorporated into the permit. The four main parts of the permit are outlined below. The column entitled "Regulation," identifies the regulatory authority for the permit conditions in Parts I through IV of the Permit. The VHWMR, 9 VAC 20-60, has incorporated by reference the federal regulations under the Resource Conservation and Recovery Act (RCRA). Applicable citations of the RCRA regulations are provided below, as applicable.

Permit Organization

<u>Module</u>	<u>Topic</u>	<u>Regulation</u>	<u>Description</u>
Module I	Standard Conditions	40 CFR § 270.30 and 40 CFR § 270.32	Contains conditions which generally apply to all hazardous waste management facilities
Module II	General Facility Conditions	40 CFR § 264.13-17, 40 CFR § 264.32-37, 40 CFR § 264.52-56, and 40 CFR § 264.111-115	Outlines the general facility conditions
Module III	Hazardous Waste Storage in Containers – Building 280 and Mixed Waste Storage in Containers – Building 506	40 CFR § 264 Subpart I, and 40 CFR § 264 Subpart CC	Contains the operating conditions for the facility
Module IV	Corrective Action for Solid Waste Units	40 CFR § 264.101, and 40 CFR § 270.14	Outlines the corrective action procedures required by 40 CFR § 264.101

List of Permit Attachments

The following eight permit attachments are incorporated into the proposed draft permit by reference. Upon approval of the draft permit, the attachments will be considered enforceable conditions of this permit.

Some of the attachment documents contain excerpts from the Permittee's hazardous waste permit application. Specific language excerpted from the permit application has been modified, as deemed necessary, so to be acceptable to the DEQ.

Attachment II.A	Facility Background and Environmental History
Attachment II.B	Waste Analysis Plan
Attachment II.C	Inspection Schedules
Attachment II.D	Personnel Training
Attachment II.E	Procedures for Handling and Management of Hazardous and Mixed Waste Including Security Measures, Storage Operations,

	and Container Management
Attachment II.F	Contingency Plan
Attachment II.G	Closure Plan
Attachment III.A	Air Emissions Standards for Containers

Financial Assurance

Financial assurance is not required as the facility is owned by the Department of Defense, a federal government agency, and is exempt from the financial assurance requirements under 40 CFR §264.140(c).

Public Notice of Proposed Permit Actions

The purpose of public notice of a proposed permit action is to provide the DEQ, interested citizens, other governmental agencies, etc., the opportunity to evaluate and comment upon the draft permit action proposed for the subject facility. Permits are drafted to help assure facility compliance with the final RCRA Permit and the applicable requirements of the Virginia Hazardous Waste Management Regulations (VHWMR), 9 VAC 20-60.

<u>Comment Period:</u>	Begins:	December 15, 2021
	Ends:	February 2, 2022

The public and the Permittee have fifty (50) days to review and comment on the draft permit action proposed for the facility.

All persons who believe any condition of a draft permit or proposed permit action is inappropriate, shall raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their position by February 2, 2022. Comments should include sufficient supporting material, including any pertinent technical or legal references and citations believed appropriate.

All comments and supporting rationale for such comments must be provided in writing to:

Ashby R. Scott, Hazardous Waste Permit Writer
Department of Environmental Quality
Office of Financial Responsibility and Waste Programs
P.O. Box 1105
Richmond, VA 23218
Phone: (804) 350-5623

Fax: (804) 698-4178
E-mail: Ashby.Scott@deq.virginia.gov

The DEQ will also accept comments from the public by e-mail. All comments received must provide your name, mailing address, phone number, and also must be received before the end of the comment period by February 2, 2022.

Information Briefing and Public Hearing:

An informational briefing will be held on January 18, 2022 from 6:00 pm to 6:30 pm and a public hearing will be held on January 18, 2022 from 6:30 pm at the Portsmouth Public Library Churchland Branch, Coleman Meeting Room (4934 High Street West, Portsmouth, VA 23703). Copies of the proposed draft permit associated with the proposed permit reissuance and the existing Permit will be available for review at the informational briefing and hearing.

Public Information

The public may review the Draft Permit for the Storage of Hazardous Waste, the application, and this draft fact sheet at the following locations:

DEQ Tidewater Regional Office
Contact: Melinda Woodruff
5636 Southern Blvd.
Virginia Beach, Virginia, 23462
Phone: (757) 518-2174
* Every work day by appointment

DEQ Office of Financial Responsibility and Waste Programs
Contact: Ashby Scott
1111 East Main Street, Suite 1400
Richmond, VA 23219
Phone: (804) 350-5623
* Every work day by appointment

Portsmouth Public Library
Churchland Branch
4934 High Street West
Portsmouth, VA 23703
Phone: (757) 686-2538
* During normal hours of operation

Procedures for Reaching a Final Permit Decision:

When making a final decision regarding this proposed permit action, the DEQ will consider all written comments received during the 50 day public comment period, and oral and written comments received during the public hearing, along with the requirements of the Virginia Hazardous Waste Management Regulations.

When the DEQ makes a final decision to either issue or deny the permit, final notice will be given to the applicant and each person who has submitted comments or requested notice of the final decision. The final notice will include a written response from the DEQ to each comment submitted and will indicate any changes in the draft permit action which may have been made in response to the comments. The proposed permit action will become effective 30 days after the final permit decision notice unless a change to the draft permit is requested pursuant to the VHWMR, 9 VAC 20-60-80, and the Virginia Administrative Process Act, § 2.2 4000, et seq., of the Code of Virginia and the Virginia Waste Management Board Public Participation Guidelines, 9 VAC 20-10. If no comments request a change in the draft permit, the decision shall become effective immediately upon issuance.